

***Claim Amendments:***

Claim 1 (Cancelled).

Claim 2 (Previously presented): The analytical test element as claimed in claim 41, wherein at least one of the surfaces forming an inner surface of the channel is hydrophilized.

Claim 3 (Previously presented): The analytical test element as claimed in claim 2, wherein the exposed surface opposite to the notch is hydrophilized.

Claim 4 (Cancelled).

Claim 5 (Previously presented): The analytical test element as claimed in claim 2 wherein a layer of oxidized aluminium is used for the hydrophilization.

Claim 6 (Cancelled).

Claim 7 (Previously presented): The analytical test element as claimed in claim 41, wherein the detection element is a filter for particulate sample components.

Claim 8 (Currently amended): The analytical test element as claimed in claim 41, wherein the channel is at least partially formed by the carrier, ~~an inert~~ the cover and the detection element wherein the cover and detection element ~~are located on the side of the channel that is opposite to the carrier and~~ are arranged adjacent to one another in such a way that the cover is located on the side facing the sample application opening.

Claim 9 (Cancelled):

Claim 10 (Currently amended): The analytical test element as claimed in claim 9 ~~8~~, wherein a flexible inert foil is mounted on the side of the cover that faces the channel which extends over the entire length of the cover, covers the entire width of the capillary channel and is at least partially enclosed between the opposing surfaces of the cover and detection element so that the capillary liquid transport does not break down at the site of contact between the detection element and cover.

Claims 11-12 (Cancelled).

Claim 13 (Currently amended): ~~Use of Method of detecting the presence of an analyte in a liquid with~~ an analytical test element as claimed in claim 41 ~~for a determination of an analyte in a liquid~~, wherein

the test element is contacted with the liquid sample at the edge of the sample application opening, which is interrupted by the notch so that the sample is transported by capillary forces into the channel and wets and penetrates the surface of the detection element specific for the detection of the analyte that faces the channel, and

the liquid sample in the detection element is observed to determine whether optical changes in the detection element exist, wherein the changes relate to a presence of the analyte in the liquid sample.

Claims 14-15 (Cancelled).

Claim 16 (Previously presented): The analytical test element as claimed in claim 2, wherein the hydrophilization is achieved by a hydrophilic material.

Claim 17 (Previously presented): The analytical test element as claimed in claim 2, wherein the hydrophilization is achieved by a hydrophilic layer.

Claims 18-19 (Cancelled).

Claim 20 (Previously presented): The analytical test element as claimed in claim 41, wherein an intermediate layer is present between the carrier and detection element.

Claim 21 (Cancelled).

Claim 22 (Previously presented): The analytical test element as claimed in claim 20, wherein the intermediate layer is formed to bond the carrier and detection element.

Claim 23 (Currently amended): The analytical test element as claimed in claim 22, ~~further comprising a cover and~~ wherein the intermediate layer is formed to bond the cover and the carrier.

Claim 24 (Cancelled).

Claim 25 (Previously presented): The apparatus of claim 43, wherein at least one of the surfaces forming the channel is hydrophilized.

Claim 26 (Previously presented): The apparatus of claim 25, wherein the hydrophilization is achieved by a hydrophilic material.

Claim 27 (Previously presented): The apparatus of claim 25, wherein the hydrophilization is achieved by a hydrophilic layer.

Claim 28 (Previously presented): The apparatus of claim 27, wherein a layer of oxidized aluminium is used for the hydrophilization.

Claim 29 (Previously presented): The apparatus of claim 43, wherein the surface opposite to the notch is hydrophilized.

Claim 30 (Previously presented): The apparatus of claim 43, further comprising an inert cover cooperating with the carrier and the detection element to define at least a portion of the channel.

Claim 31 (Previously presented): The apparatus of claim 30, wherein the cover and the detection element are located on the side of the channel that is opposite the carrier.

Claim 32 (Previously presented): The apparatus of claim 30, wherein the cover and detection element are arranged adjacent to one another so that the cover is positioned on the side facing the sample application opening.

Claim 33 (Previously presented): The apparatus of claim 30, wherein the detection element and the cover abut each other.

Claim 34 (Previously presented): The apparatus of claim 30, further comprising a flexible inert foil mounted on the cover and facing the channel.

Claim 35 (Previously presented): The apparatus of claim 34, wherein the foil covers the entire width of the channel and is at least partially enclosed between the opposing surfaces of the cover and the detection element.

Claim 36 (Cancelled).

Claim 37 (Previously presented): The method of claim 45, further comprising the steps of providing at least one reagent in the detection element and conducting an analyte-specific detection reaction with the at least one reagent.

Claim 38 (Previously presented): The method of claim 37, wherein the observing step includes visual observation.

Claim 39 (Previously presented): The method of claim 37, wherein the observing step includes optical observation.

Claim 40 (Previously presented): The method of claim 37, wherein the observing step includes the step of conducting a reflection photometric measurement.

Claim 41 (Currently amended): Analytical test element comprising:

an inert cover,

a an inert carrier having a first surface,

a detection element being formed to permit liquid penetration therein and including at least one reagent contained in the detection element, the detection element including a second surface facing the first surface, and

a capillary channel ~~extending between the first and second surfaces, the channel~~ including a sample opening and a vent opening and extends in a direction of capillary transport from the sample opening to at least an edge of the detection element that is nearest to the vent opening, wherein the capillary channel is formed by the inert carrier, the detection element, and the inert cover, the cover and the detection element being mounted end to end in such a way that the capillary channel extends without interruption from the sample application opening to the vent opening and a

notch is positioned at an edge of the test element forming the sample opening so that a surface opposite to the notch is exposed.

Claim 42 (Previously presented): The test element of claim 41 further comprising a cover defining a portion of the channel and wherein the detection element and the sample application opening are non-contiguous.

Claim 43 (Currently amended): An analytical test apparatus comprising:

an inert cover,

a an inert carrier having a first surface, and

a detection element being formed to permit liquid penetration therein and including at least one reagent contained in the detection element, the detection element having a second surface facing the first surface and ~~cooperating with the first surface to form at least part of a capillary channel extending between the first and second surfaces,~~ the channel including a sample opening and a vent opening and extends in a direction of capillary transport from the sample opening to at least an edge of the detection element that is nearest to the vent opening, wherein the capillary channel is formed by the inert carrier, the detection element, and the inert cover, the cover and the detection element being mounted end to end in such a way that the capillary channel extends without interruption from the sample application opening to the vent opening and a notch is positioned at an edge of the test element forming the sample opening so that one side of the edge is discontinuous.

Claim 44 (Previously presented): The test element of claim 43 further comprising a cover defining a portion of the channel and wherein the detection element and the sample application opening are non-contiguous.

Claim 45 (Currently amended): A method for determining an analyte in a liquid sample, the method comprising the steps of:

providing an analytical test element including a an inert cover, an inert carrier having a first surface, a detection element being formed to permit liquid penetration therein and including at least one reagent contained in the detection element, the detection element including a second surface facing the first surface, and a capillary channel ~~extending between the first and second surfaces, the channel~~ including a

sample opening and a vent opening and extends in a direction of capillary transport from the sample opening to at least an edge of the detection element that is nearest to the vent opening, wherein the capillary channel is formed by the inert carrier, the detection element, and the inert cover, the cover and the detection element being mounted end to end in such a way that the capillary channel extends without interruption from the sample application opening to the vent opening and a notch is positioned at an edge of the test element forming the sample opening so that a surface opposite to the notch is exposed,

contacting the test element with the liquid sample at the notch so that the liquid sample is transported by capillary forces into the channel, and

observing the liquid sample in the detection element to determine whether optical changes in the detection element exist following contact with the liquid sample, wherein the changes relate to a presence of the analyte in the liquid sample.